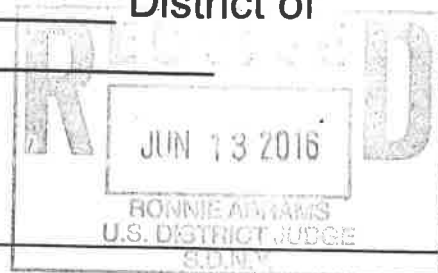


UNITED STATES DISTRICT COURT

Southern
New York

District of



Joseph Sherrod Cannon,
Plaintiff,

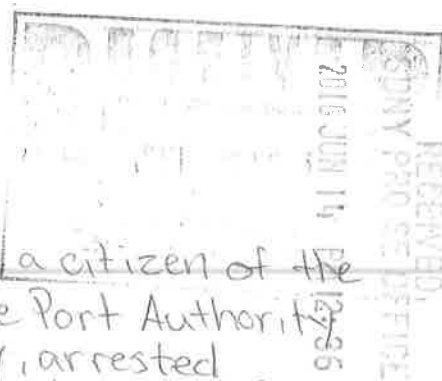
VS

Port Authority of New York
and New Jersey
P.O. A. Vignapiano
Detective Lynch,
Sgt. Kostanowski,

Defendants.

15-CV-4579 (RA)

Amended Pleading
Complaint for Damages
(42 U.S.C § 1983)



Relief Sought

- This is an action for damages sustained by a citizen of the United States against police officers of the Port Authority of New York and New Jersey, who unlawfully, arrested, prosecuted and harassed the plaintiff Joseph Sherrod Cannon.

JURISDICTION

This action is brought pursuant to 42 U.S.C §§ 1983, 1988 and the First, Fourth, Fifth, Eighth and Fourteenth Amendments to the Constitution of the United States.

This Court has subject matter jurisdiction of the action under 28 U.S.C §§ 1331, 1343 (a)(3)(4).

This Court may also exercise supplemental jurisdiction over the plaintiffs state.

Plaintiff is a resident of Lowell, MA and at all times relevant to the allegation of this complaint was a citizen of the United States, and a resident of Middlesex County.

At all times relevant to this action, defendants, Andrew Vignapiano, Eric Lynch, and Keith Kostanowski were officers employed by the Port Authority of New York and New Jersey to perform duties in the City of New York and was assigned to the 13th precinct.

The Plaintiff was arrested and has been detained since March 20th 2015.

Claims for Relief

The acts and conduct alleged above constitute actionable torts under the Laws of the State of New York including the torts of:

- false arrest and imprisonment
- malicious prosecution
- Abuse of Process
- Negligence, and
- Gross negligence

This is an action for false arrest, unlawful imprisonment and illegal search and seizure.

The plaintiff was held in a cell at the Port Authority Facility for more than 24 hours, then taken to court in NY County where he was then arraigned. However, plaintiff was forced to appear in court on March 21st, 2015. At all times, the defendants were acting under color of state law and the arrest and detention of the plaintiff and seizure of his personal documents and property were in violation of the plaintiff's rights as secured by the fourth and fourteenth amendments to the United States Constitution.

Grounds for Relief

The acts of the defendants that constitute deprivation of the plaintiff's civil rights and are the basis of the claims in the action include,

- A. Denial of fourth and fourteenth Amendment rights
 - By unlawfully and wrongfully seizing the plaintiff's person without probable cause, causing him unlawful detention and incarceration on serious charges that they knew or should have known were false because there was no radio transmitter in the plaintiff's possession,
- B. By unlawfully and wrongfully seizing plaintiff's person in clear violation of due process,
- C. By knowingly and willfully submitting false data regarding the transaction that led to plaintiff's arrest,
 - By knowingly and willfully uttering false testimony at the grand jury,
 - By conspiring suborn perjured police testimony,
 - By knowingly, willfully, and wrongfully concealing information that would have assisted plaintiff in his defense against serious criminal charges which appear in defendants' voluntary disclosure dated May 13th, 2016.

- D. Denial of plaintiffs sixth and fourteenth Amendment rights.
- By failing to timely disclose "Brady" material to plaintiffs defense counsel.
 - By concealing discoverable information from defense counsel
 - By permitting and encouraging known perjured testimony to be produced at the trial by the prosecution.
- E. The acts of the defendants were wanton, wilful, unlawful, malicious, and vicious, without regard for the system of Justice in these United States.


Plaintiff seeks that this court to enter judgement

- A. Declaratory judgement that the acts of the County of New York, the Port Authority Police Department, and their agents and employees, violated the plaintiffs due process.
- Declaring as unconstitutional the strip search of the plaintiff in this action.
- B. Special Damages
- In addition to the pain, suffering, emotional distress and other general damages described above, the plaintiff incurred.

Plaintiff demands the following relief:

- Compensatory damages in the amount of \$1,800,000
- Punitive damages in the amount of \$1,800,000
- Special damages in the amount of \$1,800,000
- An award of plaintiffs cost of suite.
- All other relief that is appropriate under the circumstances.

Dated: May 19th, 2016



Joseph Sherrod Cannon
Manhattan Detention Complex
125 White Street
New York, NY 10013

UNITED STATES DISTRICT COURT

Southern
New York

District of

Joseph Sherod Cannon,
Plaintiff,

VS

Port Authority of New York
and New Jersey,
P.O. A. Vignapiano,
Detective Lynch,
Sgt. Kostanowski,
Defendants.

15-CV-4579 (RA)
Interrogatories
(Fed. R. Civ. P. 33(a))

To: Andrew Vignapiano
From: Joseph Sherod Cannon
Set No: 1

Joseph Sherod Cannon requests that you, Andrew Vignapiano answer all of the following interrogatories in writing and under oath, as required by Rule 33 of the Federal Rules of Civil Procedure. According to Rule 33, a copy of your written response to these interrogatories must be served on Joseph Sherod Cannon, the attorney for Joseph Sherod Cannon, at the address listed in this document.

INTERROGATORY NO. 1

Did the plaintiff have a radio transmitter in his possession when you arrested him?

INTERROGATORY NO. 2

Did the train conductor bring the plaintiffs shirt and hoodie to the police precinct?

INTERROGATORY NO. 3

Did the plaintiff ask for an attorney while cuffed to the wall?

INTERROGATORY NO. 4

Was the plaintiff stripped searched?

INTERROGATORY NO. 5

Do you believe that the plaintiff was in the right state of mind during the arrest?

INTERROGATORY NO. 6

Did the train conductor receive any injuries?

INTERROGATORY NO. 7

Did the plaintiff seem as if he may have needed a mental examination or hospitalization?

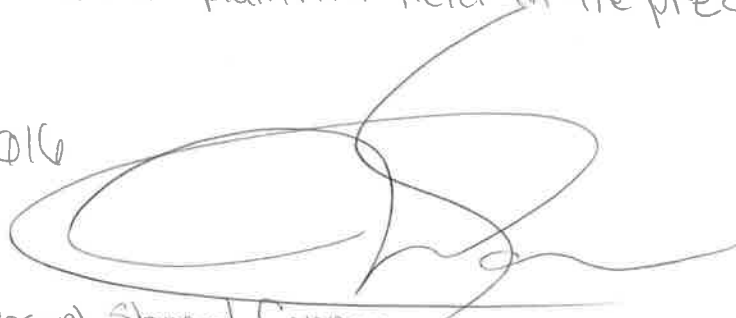
INTERROGATORY NO. 8

What kind of phones were in the plaintiffs possession?

INTERROGATORY NO. 9

About how many hours was the plaintiff held in the precinct?

Dated: May 19th, 2016



Joseph Sherod Cannon
Manhattan Detention Complex
125 White Street
New York, NY 10013

UNITED STATES DISTRICT COURT

Southern

District of

New York

Joseph Sherod Cannon
Plaintiff,

vs

Port Authority of New York
and New JerseyP.O. A Vignapiano,
Detective Lynch,
Sgt. Kostanowski,

Defendants,

15-CV-4579 (R A)

Pretrial Statement
Declaration of
Joseph Sherod Cannon

On March 20th, 2015 I was on my way to Long Island, NY from Jersey City, New Jersey. I was headed to New York to take the subway to transfer to the Long Island Railroad. While on the path train I was not in the right state of mind. I can still recall the event. I felt that people were following me from Massachusetts and were trying to kill me. I had just been released from jail in Massachusetts on March 16th, 2015. I got arrested in Massachusetts on October 9th, 2013. I was held on that case in Billerica House of Correction, Cambridge Jail, Bridgewater State Hospital, and ~~Essex County Jail~~ Essex County Jail during that time.

The case was dismissed out of Lawrence District Court. The case originally was tried in the Lowell District Court. There was a double jeopardy issue.

At the time on the path train I felt very paranoid and thought that the train conductor was trying to shoot me because he followed me when I switched cars and began to put on gloves. I then approached the train conductor and he then grabbed me and held me down on the train seat. He then pulled out a walkie talkie or radio transmitter which I thought was a weapon. I then held on to the walkie talkie for self defense. When I realized that it was a walkie talkie I let go.

The conductor would not let me go and he wrestled with me until I pulled myself out of my shirt and hoodie. I told him that all I have is paperwork. He then motioned for me to leave the train which I did leave with no shirt. I began to run and would run from every taxi I saw. I thought people were following me.

Officers approached me in a patrol car and asked if they could speak with me. I walked away. I was later ambushed by about 5 patrol cars. I do know that there were a lot of cops. An officer yelled for me to get on my knees, which I did comply with my hands in the air. The officer then began to grab his gun so I started running. I was pursued and slammed to the ground and placed in cuffs.

I was then brought inside of a garage door. I was pulled out of the back seat and I was being pulled towards an open trunk. I screamed to a man and a woman by an elevator "my name is Joseph Cannon. One of the officers then yelled "fuck" and slammed the trunk to the other patrol car. He then said lets take the stairs and another officer said no lets take the elevator.

I was brought inside of the precinct and then handcuffed to a wall. I was then stripped. I asked an officer about my paperwork which was in a manilla envelope and he said not to worry we got it. I was crying hysterically. I was then approached by Detective Lynch who asked me what happened. I told him that I would like to speak to an attorney and he became upset.

I was cuffed to the wall for about an hour or two when I noticed that the train conductor came in with my shirt and hoodie and he was writing a statement. I also saw a guy from the Daily News come in and I overheard them planning what to write in the newspaper.

I was later placed in a cell and I fell asleep. I woke up and I was given a cup of coffee and a bagel by a hispanic lady officer. She later finger printed me. I was held in the precinct for over 24 hours.

My property consisted of 1 black wallet, an apple iphone, a samsung flip phone, and a manilla envelope which contained the following documents: Discovery from Lowell District Court, Death Certificates of parents Henry and Lessie Cannon, Copies of parents social security cards, an ultra sound of twins from Harvard Vanguard in Chelmsford, MA of Bridget McGrade, handwritten letters from Bridget McGrade, and my birth certificate.

I testified at 100 Centre Street in room 911 on May 22nd, 2015 at the grand jury. I was then indicted. I have just recieved the grand jury minutes after constantly requesting it on May 11th, 2015 in the mail. When I read the grand jury minutes my words were switched around,

Since being incarcerated in New York I have attempted suicide. My criminal case was transferred to Mental Health Court on May 17th, 2016 at approximately 10am. I recieved the defendants voluntary disclosure dated May 13th, 2016 on May 17th, 2016 at approximately 7pm.

On June 17th, 2015 I was assaulted by correctional officers and cut with a knife on my forehead. I was then transferred to Bellevue Hospital. While at Bellevue Hospital I was approached by a guy named Dwane Carter. He had a copy of my ID and a copy of my live birth certificate. I asked him how did he get it and he said that I gave it to them when I came to the hospital before. June 17th, 2015 was my first time at Bellevue Hospital that I recall. He then asked me to sign a foodstamp application which I did not.

On June 23rd 2015 I was transferred back to Rikers Island from Bellevue Hospital. I was front cuffed at the Hospital. When I arrived at Rikers Island I was brought in to the Hart's Island mental health clinic and I was assaulted while front cuffed by correctional officers. I was later placed in segregation. While at Bellevue Hospital I was requesting treatment for Hepatitis C.

While incarcerated in Massachusetts I was also asking for treatment for Hepatitis C. I was told that I had it in November 2011. Also since being incarcerated in New York I have been asking for treatment for Hepatitis C.

On September 22, 2015, Dr Zaman Muhammed said that my medication was approved for Hepatitis C. I was transferred a few days later to GRVC on Rikers Island. Since March 22nd, 2015 I have been asking for treatment.

I have also been trying to send motions out to court to fight my criminal case since March 2015. When I was assaulted on June 17th 2015 all of my motions were taken along with my personal property which included clothing and a Jewish Bible. There has been extreme delays with incoming and outgoing mail. I have been subjected to pain and suffering, cruel and unusual punishment and violation of my constitutional right to due process.

Dated: May 19th, 2016



Joseph Sherod Cannon
Manhattan Detention Complex
125 White Street
New York, New York 10013

AFFIDAVIT OF SERVICE

I, Joseph Sherod Cannon, being duly sworn deposes and says:
 That I have on the 19th day of May, 2016, placed and submitted the original and copies of pretrial statement, amended pleading, and ~~interrogatories~~ interrogatories to be duly mailed via the United States Postal Service, through the institutional mailroom of the Manhattan Detention Complex at 125 White Street, New York, NY 10013, said moving papers were mailed to the following parties:

Hon Ronnic Abrams
 United States District Judge
 Thurgood Marshall
 United States Courthouse
 40 Foley Square
 New York, NY 10007

President Barack Obama
 The White House
 1600 Pennsylvania Ave
 Washington DC 20500

Amy Rameau Esq
 The Rameau Law Firm
 16 Court Street, Suite 2504
 Brooklyn, NY 11241

Hon John G. Koeltl
 United States District Judge
 United States Courthouse
 500 Pearl Street, Courtroom 12B
 New York, NY 10007

Andrew Cuomo
 The Governor of New York State
 Executive Chamber, State Capitol
 Albany, NY 12224

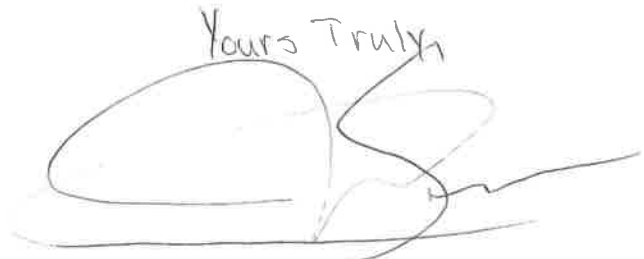
Michael Jaccarino Esq
 8118 13th Avenue
 Brooklyn, NY 11228

Mayer De Blasio
 NYC Mayor's Office
 City Hall
 New York, NY 10007

Megan Lee Esq
 Port Authority of NYNJ
 4 World Trade Center
 150 Greenwich Street, FL 24
 New York, NY 10007

Elizabeth Degri Esq
 The City of New York
 Law Department
 100 Church Street
 New York, NY 10007

Yours Truly



Joseph Sherod Cannon
 Manhattan Detention Complex
 125 White Street
 New York, NY 10013

Sherrod Cannon 3491503252
Detention Complex
e Street
NY 10013

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LEGAL MAIL



Honorable Ronnie Abrams
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

SDNY 40LD

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